

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 21, 2003.



Elizabeth Miller
Elizabeth. Miller

05/21/2003
Date

ATTY DOCKET NO. 10991398-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Diane D. Ilsley et al.

Group Art Unit: 1634

Serial No.: 09/919,643

Examiner: Betty J. Forman

Filed: 07/31/2001

Title: METHODS FOR DEPOSITING SMALL VOLUMES OF PROTEIN
FLUIDS ONTO THE SURFACE OF A SUBSTRATE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 30 2003

Technology Center 2600

Dear Sir:

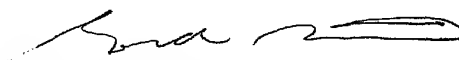
**PETITION TO WITHDRAW HOLDING OF ABANDONMENT DUE TO
FAILURE TO RECEIVE OFFICE ACTION (M.P.E.P. 711.03(c)II)**

1. A Notice of Abandonment mailed 05/12/03 has been received on the above application due to failure to respond to an outstanding Office Action.
2. During a telephone call from Examiner Forman on 04/24/03 I was informed for the first time that a Restriction Requirement was mailed by the Office on 09/17/03 and to which no response had been received by the Office. This Restriction Requirement provided a shortened period of 1-month for response (i.e. by 10/17/03).
3. I have searched the file jacket and docket records for this application maintained by Agilent Technologies, Inc. ("Agilent"), assignee of the present application. This search indicates that the Restriction Requirement was not received.

4. I have checked with the Intellectual Property Administration division at Agilent, where all correspondence on this application would have been mailed. A check of the mail log maintained by that division revealed that the only two pieces of correspondence received for this application was the Filing Receipt (received on 09/26/01) and the Notice of Publication (received on 03/04/03).
5. A copy of the docket record for the present application (Attorney Docket 10991398-1) is attached showing "Actions Due" for the present application, where the nonreceived Restriction Requirement would have been docketed had it been received.
6. In accordance with the procedure set forth under M.P.E.P. 711.03(c)II, a copy of Agilent Technologies, Inc. Docket Report showing all U.S. replies docketed for between 10/10/02 and 10/24/02 is also attached. As shown in the Docket Report, no replies were docketed for the present application (Attorney Docket No. 10991398-1).
7. In view of the above, it is respectfully requested that the holding of abandonment of the present application be withdrawn, and a new Office Action be mailed in accordance with M.P.E.P. 711.03(c)II.

Authorization to charge fees to Deposit Account 50-1078 is included in the Transmittal Letter accompanying this Petition.

Respectfully submitted,



Gordon M. Stewart
Attorney for Applicants
Reg. No. 30,528

Agilent Technologies, Inc.
Legal Department, DL429
IP Administration
P.O. Box 7599
Loveland, CO 80537-0599

Actions Due Print Screen Report

PDNO: 10991398-1 United States of America

Status: ABANDONED

Filing Date: 31-Jul-2001

Appl No: 09/919643

Item	Action Type	Action Due	Base Date	Due Date	Resp Sent Date	Indicator	Done
1	Computer Generated	Assignment	31-Jul-2001	30-Nov-2001		DUE DATE	YES
2	Computer Generated	Cnv Filing	31-Jul-2001	31-Jan-2002		DUE DATE	YES
3	Computer Generated	IDS	31-Jul-2001	31-Oct-2001	31-Jul-2001	DUE DATE	YES

Item:	1
Action Type	Computer Generated
HP Resp: Atty	GMS
Local O/C:	
Foreign Agent:	
Indicator:	DUE DATE
Remark:	
User ID:	emcorp
Date Created:	01-Aug-2001
Last Updated:	02-Apr-2003
Action Due:	Assignment
Base Date:	31-Jul-2001
Due Date:	30-Nov-2001
Resp. Date:	
Done:	YES

RESP ATTORNEY DOCKET BY DUE DATE REPORT (single line)

Due Date between 10-Oct-2002 and 24-Oct-2002 and Country = US

Due Date	PDNO-Subcase	Item #	Ctry	Appln #	Action Type	Action Due	Indicator	Case Type	Comments
15-Oct-2002	20011453-2	2	US	10/195253	Computer Generated	IDS	Due Date	ORDFF	
18-Oct-2002	20010831-2	2	US	10/198253	Computer Generated	IDS	Due Date	ORDFF	
Total Actions Due for DB is: 2									

Due Date	PDNO-Subcase	Item #	Ctry	Appln #	Action Type	Action Due	Indicator	Case Type	Comments
Resp Atty: FEA									
14-Oct-2002	20001939-2	4	US	09/832687	US OA 3 MONTH r	emi prepare answer	REMINDER	ORDFF	
14-Oct-2002	20002115-2	6	US	09/903963	US OA 3 MONTH	Remi prepare answer to OA	REMINDER	ORDFF	
24-Oct-2002	20003808-2	1	US	10/178569	Computer Generated	Assignment	Due Date	ORDFF	

Total Actions Due for FEA is: 3

Due Date	PDNO-Subcase	Item #	Ctry	Appln #	Action Type	Action Due	Indicator	Case Type	Comments
Resp Atty: GMS									
10-Oct-2002	10010407-1	3	US	10/193740	US INFO DISCL STMT	FILE IDS	REMINDER	ORD	Elizabeth
10-Oct-2002	10030216-2	1	US	10/167119	Computer Generated	Assignment	Due Date	ORD	
23-Oct-2002	10030216-1	1	US	60/375251	Computer Generated	Conv Filing	Due Date	PRV	
23-Oct-2002	10030216-1	2	US	60/375251	Computer Generated	US Filing	Due Date	PRV	

Total Actions Due for GMS is: 4

Due Date	PDNO-Subcase	Item #	Ctry	Appln #	Action Type	Action Due	Indicator	Case Type	Comments
15-Oct-2002	10020052-1	4	US	10/211865	Amend Filing Receipt	Ward to amend filing d		ORD	Have Cal Ward amend filing date

Resp Atty: IH

Total Actions Due for IH is: 1

Due Date	PDNO-Subcase	Item #	Ctry	Appln #	Action Type	Action Due	Indicator	Case Type	Comments
19-Oct-2002	40010321-2	1	US	10/175369	Computer Generated	Assignment	DUE DATE	ORDFF	

Resp Atty: SXO

Total Actions Due for SXO is: 1

Due Date	PDNO-Subcase	Item #	Ctry	Appln #	Action Type	Action Due	Indicator	Case Type	Comments
11-Oct-2002	10980322-2	6	US	09/146817	File Continuation	File Continuation		CIP	RFQ from Kenyon approved by J. Moss 10/2/02.

Resp Atty: THJ

Total Actions Due for THJ is: 1